



# The Town of Elsmere

11 Poplar Avenue, Elsmere, Delaware 19805

Phone (302) 998-2215 Fax (302) 998-9920

EXHIBIT

tabbles

20-02 A

### Application for Hearing

Board of Adjustment

zoning change

Planning Commission

Petition # \_\_\_\_\_ Filing Fee: \$200.00 Date Received 1/17/2020 Received by: DMZ

Subject Property: # 7 Rodman Rd

Property is:  Residential  Commercial

Tax Parcel # 19-00500-188 Zoning District: G/I

Applicant name: RONALD SNOOK

Address: # 7 Rodman Rd Telephone # 302 547-1660

City: ELSMERE State: DE Zip Code: 19805

Application for Zoning Variance Related to: G/I to R-2

- Front yard setback
- Rear yard setback
- Side yard setback
- Lot Area

- Lot Coverage
- Fencing
- Parking requirements
- Signage

Application for Special Exception Use Permit for the following use: \_\_\_\_\_

Application for Appeal of an Administrative decision: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

For the following reasons: \_\_\_\_\_

Application for relief other than above: \_\_\_\_\_

State reasons for this request: I CURRENTLY LIVE AT ADDRESS  
AND HAVE NO INTEREST IN KEEPING IT G/I  
WOULD LIKE IT CHANGED TO R-2 FOR IT  
WILL NOT BE USED AS COMMERCIAL PROPERTY  
WOULD LIKE TO GET LOWER INTEREST RATES...

Has a previous application for this property been filed with the Town?  Yes  No

If yes, Petition # \_\_\_\_\_

If the applicant is not the Legal Owner of the property:

Legal owner information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone # \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Please submit the following with this petition:

- A copy of a plot plan showing the following: location of the property; a diagram showing the layout, size, and location of existing structures on the property.
- A copy of any deed restrictions on the property.  
NOTE: THE BOARD OF ADJUSTMENT OR PLANNING COMMISSION CANNOT APPROVE ANY APPLICATION PROHIBITED BY DEED RESTRICTIONS.
- Filing fee, payable to the Town of Elsmere.

The undersigned hereby certifies that the legal owner of the subject property is aware of, and agrees to the filing of this application, that the information submitted herein is correct, and agrees to be bound by any decision of the Town of Elsmere Board of Adjustment with respect to the subject property.

NOTE: The legal owner and his/her authorized representative must sign this form.

Applicant's Signature: Ronald E Shore Date: 1/17/20

Legal Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**EXHIBIT**  
tabbles  
20-02 C

Name of person representing applicant (if applicable):  
\_\_\_\_\_

Address: \_\_\_\_\_ Telephone # \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

I, \_\_\_\_\_, as owner of the property listed on this application, authorize the above named representative to act on my behalf during any proceedings pertaining to this application.

\_\_\_\_\_  
Legal Owner Signature Date

Subscribed and sworn to before me on the following date:

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Date

In addition to the persons listed above please send copies of all correspondence to:

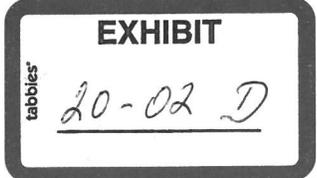
Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone # \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_



20100901-0045728  
 Pages: 2 F: \$56.00  
 09/01/10 11:26:01 AM  
 T2010026834  
 Michael E. Kozikowski  
 New Castle Recorder DEE



Tax Parcel # 19-005.00-188  
 Prepared by: Brian T. Murray, P.A.  
 Return to: 903 S. College Avenue  
 Newark, DE 19713  
 6/09/160

NO TITLE SEARCH OR SURVEY REQUESTED OR PERFORMED

**THIS DEED**, made this 19th day of January in the year of our Lord Two Thousand ~~Nine~~ Twelve (2012).

BETWEEN,

**RONALD SNOOK** and **THOMAS PANTANO**, of New Castle County and State of Delaware, parties of the first part,

AND

**T&R REALTY LLC**, a limited liability company of the State of Delaware, party of the second part.

**WITNESSETH**, That the said parties of the first part, for and in consideration of the sum of TEN DOLLARS and NO/00 (\$10.00) lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the said party of the second part.

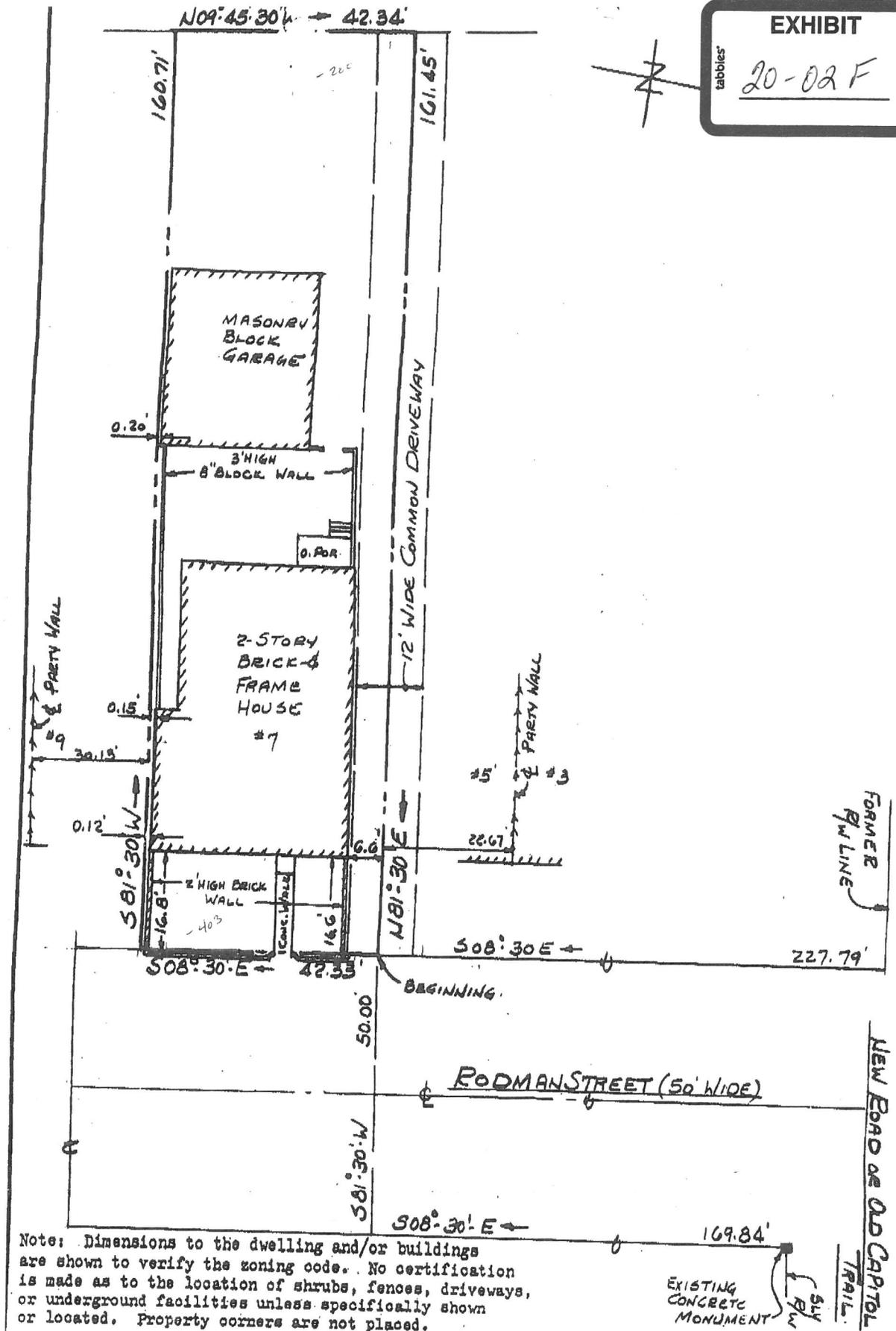
**ALL** that certain lot, piece or parcel of land, with the improvements thereon erected, situate in the Town of Elsmere, New Castle County and State of Delaware, known as **7 Rodman Road**, and being more particularly bounded and described in accordance with a survey prepared by Florian P. Lisinski, Professional Land Surveyors, dated 1998, as follows, to-wit:

**BEGINNING** at a point on the westerly side of Rodman Street at 50 feet wide, said point of Beginning being distant South 8 degrees, 30 minutes East, 227.79 feet from the intersection of the westerly side of Rodman Street with the former southerly right of way line of New Road of Capitol Trail, formerly 60 feet wide, and said point of Beginning also being measured by following two courses and distances from a concrete monument situated at the intersection of the easterly side of Rodman Street and the new southerly right of way line of New Road or Capitol Trail; (1) South 8 degrees, 30 minutes East, 169.84 feet measured along the easterly side of Rodman Street to a point; and (2) crossing Rodman Street South 81 degrees, 30 minutes West, 50 feet to the westerly side of Rodman Street and the point of Beginning; thence from said point of Beginning along the westerly side of Rodman Street South 8 degrees, 30 minutes East, 42.33 feet to a point; thence by the division line between this property and the property to the south, South 81 degrees, 30 minutes West, 160.71 feet to a point; thence by the division line between this property and property now or formerly of Wilmington Wheel Co., North 9 degrees, 45 minutes, 30 seconds West, 42.34 feet to a point; thence by a new division line between this property and other property of the parties of the first part known as 5 Rodman Street and along the center line of a 12 foot wide common driveway North 81 degrees, 30 minutes East, 161.45 feet to a point and place of Beginning. Be the contents thereof what they may.

**TOGETHER** with the free and uninterrupted right, use and privilege of the 12 foot wide common driveway partly on this property and partly on the property adjoining on the north known as 5 Rodman Street, for purposes of ingress, egress and regress, in common with the parties of the first part, their heirs and assigns, forever, subject, however, to an equitable share of the expense of keeping said driveway in good repair.

**BEING** the same lands and premises which William F. Slattery a/k/a William F. Slattery, Jr. and Grace A. Slattery, by Deed dated July 31, 1998 and recorded in the Office of the Recorder of Deed in and for New Castle County and State of Delaware, in Deed Book 2488, Page 323, did grant and convey unto Ronald Snook and Thomas Pantano, in fee.





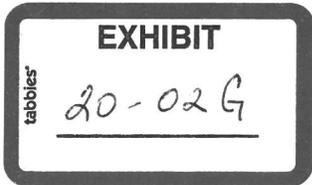
Note: Dimensions to the dwelling and/or buildings are shown to verify the zoning code. No certification is made as to the location of shrubs, fences, driveways, or underground facilities unless specifically shown or located. Property corners are not placed.

MORTGAGE INSPECTION PLAN & PROPERTY OF  
**EDWARD E. SNOOK & THOMAS P. PANTANO**  
 7 RODMAN STREET WILMINGTON, DE. 19805  
 TOWN OF ELSMERE  
 NEW CASTLE COUNTY DELAWARE

*Florian P. Lisinski*  
**PROFESSIONAL LAND SURVEYOR**

FLORIAN P. LISINSKI P.L.S.  
 425 BREWSTER DRIVE  
 NEWARK, DE. 19711  
 (302) 738-7959

SCALE 1" = 20'  
 DATE JUNE 12, 2002



Site Analysis  
Petition 20-02

**Property Owner:** T&R Realty  
**Zoning District:** GI  
**Address:** 7 Rodman Road  
**Primary Use:** Residential  
**Parcel No.:** 1900-500-188

LOT COVERAGE CALCULATIONS

<b>Lot Area in Sq. Ft.:</b>	<b>6842</b>	Sq. Ft.
<b>Allowable Lot Coverage:</b>	<b>5816</b>	Sq. Ft. or 85%
<b>Total Coverage:</b>	<b>6079</b>	Sq. Ft.
❖ Building =	1712	Sq. Ft.
❖ Front Porch =		Sq. Ft.
❖ Garage =	864	Sq. Ft.
❖ Impervious Pave =	3503	Sq. Ft.
❖ Rear Patio =		Sq. Ft.

**Proposed Addition:** 0 Sq. Ft.  
**Proposed Total:** 6079 Sq. Ft. or 89%

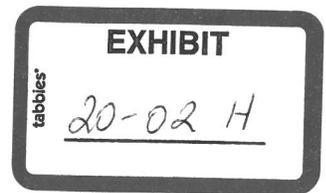
**Conclusion:** There are no proposed changes to the existing lot coverage.

**Required Setbacks:** Front: 20 Rear: 20  
Side: 0 Both Sides: 0

**Existing Setbacks:** Front: 16.6 Rear: 43  
Side: .12 Both Sides: 6.72

**Proposed Setbacks:** Front: 16.6 Rear: 43  
Side: .12 Both Sides: 6.72

**Conclusion:** There are no proposed changes to the existing setbacks.



### STATEMENT OF FACT

The subject parcel is legal non-conforming in regard to:

1. Front yard setback. The Code of the Town of Elsmere Section 225 Attachment 3, requires a minimum front yard setback of 20ft. The existing set back is 16.6ft.
2. Lot coverage. The Code of the Town of Elsmere allows for a maximum lot coverage of 85%, the existing lot coverage is 89%.

### REQUEST BY THE APPLICANT

To change the zoning from GI to R-2.

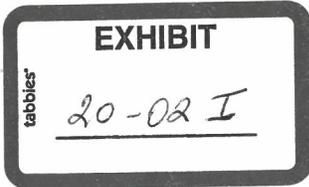
### ISSUE(S)

1. Changing the zoning from GI to R-2 will make the subject parcel substantially more non-conforming regarding:
2. Front yard setback. The required front yard setback in the R-2 zoning is 20ft, the existing front yard setback is 16.6ft.
3. Side yard setback. The required side yard setback in R-2 zone is 5ft one side and 10ft both sides, the existing setbacks are 0.12 and 6.6ft.
4. Lot coverage. The allowable lot coverage in the R-2 zone is 30%, the existing lot coverage is 89%.

### GRANTING OF THE PETITION

Should the Planning Commission of the Town of Elsmere grant Petition 20-02, the following must occur:

1. The Planning Commission of the Town of Elsmere shall determine that the subject parcel zone change meets the harmonious development intent of Town of Elsmere Code 225-9.
2. The Town Council shall draft and approve ordinance as per Town of Elsmere Code 225-13 to change the zoning of the subject parcel from GI to R-2 with acknowledgement of said non-conformities as per Town of Elsmere Code 225-36.



**Parcel # 1900500188**

Property Address: 7 RODMAN RD  
 WILMINGTON, DE 19805-  
 Subdivision: ELSMERE  
 Owner: T&R REALTY LLC  
 139 CHRISTINA LANDING DRIVE  
 Owner Address:  
 WILMINGTON, DE 19801  
 Municipal Info: Incorporated in ELSMERE PROPERTY TAX AREA

Lot #: \_\_\_\_\_ Property Class: COMMERCIAL  
 Location: \_\_\_\_\_ Lot Size: 0.16  
 Map Grid: 09803560 Lot Depth: 161.50  
 Block: \_\_\_\_\_ Lot Frontage: 42.30  
 Census Tract: 124.00 Street Finish:  
 Street Type: \_\_\_\_\_  
 Water: \_\_\_\_\_  
 Microfilm #: 000000

**District & Zoning Info**

Districts

- **FIRE/RESCUE - ELSMERE**
- **RED CLAY SCHOOL DIST-TRES**
- NORTH OF C&D CANAL
- TRAFFIC ZONE T083 (YR2000)
- COUNCIL 1 - KENNETH R WOODS
- ADD REQ PER SEC 10.3.4.4 DSSR
- SEWER DISTRICT NORTHERN-ASMT
- PLANNING 8 - LOWER CHRISTINA
- DE SEN 07-ANTHONY DELCOLLO
- DE REP 13-JOHN L MITCHELL JR

Zoning

- 19R1 - ONE FAMILY DWELLING

**Deed History**

Grantee(s)	Deed	Multi?	Sale Date	Sale Amount
SLATTERY WILLIAM F & GRACE A	346 257	N	3/1/1986	\$10.00
SNOOK RONALD & PANTANO THOMAS	2488 323	N	7/31/1998	\$10.00
T&R REALTY LLC	20100901 0045728	N	1/19/2010	\$10.00

**Tax/Assessment Info**

Assessment

Land: 5900  
 Structure: 61000  
 Homesite: 0  
 Total: 66900  
 County Taxable: 66900  
 School Taxable: 66900

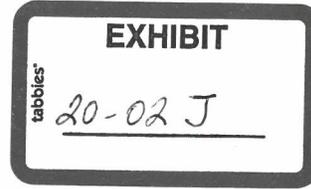
**Tax Bills as of 1/22/2020 3:00:04 AM**

Tax Year	County			School		
	Principal Due	Penalty Due	Amt Paid	Principal Due	Penalty Due	Amt Paid
2007A	\$0.00	\$0.00	\$197.35	\$0.00	\$0.00	\$1,185.26
2008A	\$0.00	\$0.00	\$186.25	\$0.00	\$0.00	\$1,238.94
2009A	\$0.00	\$0.00	\$227.67	\$0.00	\$0.00	\$1,235.86
2010A	\$0.00	\$0.00	\$225.23	\$0.00	\$0.00	\$1,220.25
2011A	\$0.00	\$0.00	\$229.32	\$0.00	\$0.00	\$1,206.21
2012A	\$0.00	\$0.00	\$229.97	\$0.00	\$0.00	\$1,192.16
2013A	\$0.00	\$0.00	\$228.65	\$0.00	\$0.00	\$1,265.08
2014A	\$0.00	\$0.00	\$229.52	\$0.00	\$0.00	\$1,287.36
2015A	\$0.00	\$0.00	\$228.70	\$0.00	\$0.00	\$1,431.00
2016A	\$0.00	\$0.00	\$228.14	\$0.00	\$0.00	\$1,560.31
2017A	\$0.00	\$0.00	\$229.33	\$0.00	\$0.00	\$1,655.31
2018A	\$0.00	\$0.00	\$245.58	\$0.00	\$0.00	\$1,646.41
2019A	\$0.00	\$0.00	\$227.40	\$0.00	\$0.00	\$1,658.45

**Tax Payments as of 1/22/2020 3:00:04 AM**

Date Paid	Amt Paid
10/10/2007	\$58.66
10/10/2007	\$977.80
9/24/2008	\$1,366.37
9/28/2009	\$1,439.23
11/10/2009	\$433.32
9/21/2010	\$1,441.43
9/22/2011	\$1,435.53

9/24/2012  
 9/26/2013  
 9/18/2014  
 9/17/2015  
 9/27/2016  
 9/21/2017  
 9/25/2018  
 9/24/2019



\$1,422.13  
 \$1,493.73  
 \$1,516.88  
 \$1,659.70  
 \$1,788.45  
 \$1,884.64  
 \$1,891.99  
 \$1,885.85

County Balance Due: \$0.00  
 School Balance Due: \$0.00

These amounts are valid through the last day of the month. For accounts with delinquent balances, statutory penalty will accrue on the first day of next month.

**Sewer History as of 1/22/2020 3:00:04 AM**

Tax Year	Principal Due	Penalty Due	Date Paid	Amount Paid
2007S1	\$0.00	\$0.00	2/15/2007	\$641.41
2008S1	\$0.00	\$0.00	4/15/2008	\$689.75
2009S1	\$0.00	\$0.00	3/10/2009	\$752.95
2010S1	\$0.00	\$0.00	5/17/2010	\$962.95
2011S1	\$0.00	\$0.00	2/25/2011	\$85.08
2012S1	\$0.00	\$0.00	3/6/2012	\$88.40
2013S1	\$0.00	\$0.00	2/27/2013	\$88.40
2014S1	\$0.00	\$0.00	6/12/2014	\$97.46
2015S1	\$0.00	\$0.00	3/16/2015	\$50.00
2016S1	\$0.00	\$0.00	4/13/2016	\$53.00
2017S1	\$0.00	\$0.00	6/15/2017	\$638.90
2018S1	\$0.00	\$0.00	2/26/2018	\$470.71
2019S1	\$0.00	\$0.00	3/1/2019	\$514.33
2020S1	\$475.76	\$0.00	Not Available	\$0.00

Balance Due: \$475.76

These amounts are valid through the last day of the month. Statutory penalty will accrue on the first day of next month.

**Residence Characteristics**

Residence 0

Building Design: COLONIAL	Residence Class: SFD PLATTED LOT
Grade: AVERAGE	Condition: AVERAGE
Year Built: 1950	# Stories: 2
Total Area (sq. ft.): 3000	Main Floor Area: 1200
# Rooms: 11	# Bedrooms: 8
# 1/2 Baths: 0	# Full Baths: 3
# Fam. Rooms: 1	# Fixtures: 11
Roof Type: GABLE	Roof Material: ASPHALT
Exterior Wall: BRICK	Interior Wall Finish: PLASTER
Floor Finish: WOOD	Foundation: CONTINUOUS
Garage Capacity: 0	Basement %: 100%
Basement % Finished: 50%	Basement Finish Type: FIN FLOOR & CEILING
Attic % Finished:	
Unfinished %:	Unfinished Area: 0
Heat Type: HOTWATER	Air Conditioning:
Remodel Year: 0	



EXHIBIT  
tabbles  
20-02 K



40ft  
-75.584 39.740 Degrees